

PUBLIC HEARING--March 17, 1965

Appeal #120 Alma E. Marshall, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Clouser and McIntosh dissenting, the following Order was entered on March 24, 1965:

**ORDERED:**

That the appeal for a variance from the provisions of Section 3301.1 of the Zoning Regulations requiring 900 square feet of land area per unit to permit conversion of building from a flat into a three unit apartment building at 1741 North Capitol Street, lot 12, square 3512, be granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

- (1) Appellant's lot has a frontage of twenty feet on North Capitol Street and a depth of 90 feet. The lot contains an area of 1800 square feet of land area.
- (2) The lot is improved with a two-story and basement row house. The property has apartments on the two upper floors and appellant requests permission to convert the basement into an apartment.
- (3) The lot contains an area of 1800 square feet of land whereas regulations in the R-4 District require 2700 square feet of land in order to convert to three units.
- (4) There was no objection to the granting of this appeal registered at the public hearing.
- (5) Appellant proposes to convert the basement into a two bedroom, kitchen and living room apartment.

**OPINION:**

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the statute, and that a denial of the request will result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.